

REMARKS

Summary of Office Action

Claims 1-4 and 8-12 were pending in the application.

Claim 10 was rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1, 4, and 10-12 were rejected under 35 U.S.C. § 103(a) as being obvious from Taylor et al. U.S. Patent No. 6,278,885 (hereinafter "Taylor") and further in view of Malcolm U.S. Patent No. 7,146,638 (hereinafter "Malcolm").

Claims 2, 3, 8 and 9 were rejected under 35 U.S.C. § 103(a) as being obvious from Taylor and Malcolm as applied to claims 1 and 4, and further in view of Yadav U.S. Patent Publication No. 2003/0149887 (hereinafter "Yadav").

The Examiner's objections to and rejections of the claims are hereby addressed.

Rejection under 35 U.S.C. 101

Claim 10 was rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Examiner has suggested to amend the language "computer readable recordable medium" to only include non-transitory embodiment by incorporating term "non-transitory" or by claiming a "computer recordable device".

Applicant has amended claim 10 by removing the words "computer readable recordable medium" and replacing them with "computer recordable device" as suggested by Examiner.

Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. 101 be reconsidered and withdrawn.

Rejections of Claims 1, 4 and 10-12 under 35 U.S.C. 103(a)

Claims 1, 4, and 10-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Taylor and further in view of Malcolm.

Independent claims 1, 4, and 10 are generally directed towards network security systems and methods for permitting trusted network communication programs to have server ports automatically registered in a firewall. The system stores a list of trusted programs (i.e., "permitted" programs registered in an "internal permitted program storage"), and allows a firewall flexible device to automatically register server ports for the trusted programs in an internal permitted port storage. Once a port is registered, inbound packet traffic is allowed to bypass the firewall only if the destination port of a packet is a registered port.

More specifically, an internal permitted program storage stores a list of programs for which network communication is permitted. When a network communication program uses a server port, a firewall flexible device determines whether the network communication program is registered in the list of programs stored in the internal permitted program storage. If the program is registered in the list, an internal permitted port storage registers the server port. The firewall flexible device then blocks inbound packets whose destination ports are not registered in the port storage.

Taylor describes a system and method for network access control using adaptive proxies. A system administrator manually specifies which server ports are to be registered in a configuration information file (col. 6, lines 4-12). In other words, Taylor employs a system administrator that sets up a configuration information file setting forth whether to register a server port on which a network connection is made. When a connection control packet is received, a dynamic packet filter module (DPF) determines whether the port on which the packet was received is registered, and transfers information about the packet to a proxy only if the port is a registered port (col. 5, line 39, through col. 6, line 25). When a data packet is received, the packet is either sent to its destination if the packet belongs to an

existing connection, or is processed through a transparency filter if the packet belongs to a new connection (col. 12, lines 20-39).

In contrast, in the claimed invention the firewall flexible device determines whether a network communication program is registered in the list of communication permitted programs, and if the network communication program is registered, the server port is registered in the internal permitted port storage. Hence, a server port is **automatically** registered based on the determination of the firewall flexible device on whether the network communication program is registered in the program storage.

Thus, Applicant submits that Taylor fails to teach or suggest any features of the automatic registration of server ports in an internal permitted port storage as claimed in claims 1, 4 and 10.

Malcolm is directed to a firewall system for regulating access and maintains security of computers linked to wide area network (WAN). Malcolm merely discloses a system that informs computer users why their applications and computers need to access the Internet in order to regulate outbound communication for accessing the Internet. There is no teaching or suggestion in Malcolm of anything about a registration of a server port in an internal permitted port storage based on whether a network communication program is registered in an internal permitted program storage as recited in the claimed inventions. In other words, Malcolm is merely directed to control communication by setting up access rule including **a destination port, not a server port.**

Further, as Examiner noted on page 4 of the Office Action, Taylor lacks explicit disclosure of such features of the claimed invention that the internal permitted program storage stores a list of programs permitted to have server ports registered by the firewall, wherein the internal permitted program storage adds a program to the list, and a firewall flexible device for determining whether the network communication program is registered in the list of programs stored in

the internal permitted program storage, where the firewall flexible device determines that the network communication program is registered in the list of programs, and Examiner has further noted that the above features are obvious over the teachings of Malcolm. Examiner pointed the description on col. 9, lines 38-52 of Malcolm as the teachings of Malcolm to make up the deficiencies of Taylor. Applicant respectfully disagrees.

As stated above, Malcolm is merely directed to a firewall system that regulates access of individual computers to the Internet. In Malcolm, a firewall system has access rules data and determines whether the relevant access rules approves or denies a request to access the Internet. In other words, the firewall system of Malcolm is for regulating access of computers to the Internet by evaluating **outbound** communication traffic. In contrast, the claimed invention is for regulating a network communication based on **inbound** traffic. Thus, the alleged teachings of Malcolm are not able to cure the deficiencies of Taylor.

Malcolm indeed fails to teach or suggest that a list of programs permitted to have server ports registered by a firewall is stored in an internal permitted program storage, where the internal permitted program storage adds a program to the list by extracting information about the program for which communication is permitted by the firewall and registering the extracted information in the list, and determining whether the network communication program is registered in the list of programs stored in the internal permitted program storage, as included in the claimed invention, which are not taught by Taylor either as admitted by Examiner.

Thus, Applicant submits that Taylor and Malcolm, either alone or in combination, do not teach or suggest all the limitations of claims 1, 4 and 10, which are therefore allowable for at least the reasons stated above. Claims 11 and 12 depend from claims 1 and 4, respectively, and thus are allowable due to their dependency on the allowable independent claims.

Accordingly, Applicant respectfully request Examiner's reconsideration and withdrawal of the rejections on claims 1, 4, and 10-12 under 35 U.S.C. § 103(a).

Rejections of Claims 2, 3, 8 and 9 under 35 U.S.C. 103(a)

Claims 2, 3, 8 and 9 were rejected under 35 U.S.C. § 103(a) as being obvious from Taylor and Malcolm as applied to claims 1 and 4, and further in view of Yadav.

Examiner cited Yadav to cover the subject matters of claims 2, 3, 8 and 9, which are not disclosed in or taught by Taylor or Malcolm. Yadav is not cited to teach any subject matter or limitation of claims 1 and 4 which are independent claims of rejected claims 2, 3, 8 and 9.

As stated above for the rejections of claims 1, 4, and 10-12, Taylor and Malcolm, alone or in combination, neither teach nor suggest all the limitations of claims 1 and 4. Thus, it is submitted that Taylor, Malcolm and Yadav, alone or in combination, fail to teach or suggest all the limitations of claims 1 and 4, which are therefore allowable over the cited references for at least the reasons stated above.

Claims 2 and 3 depend from claim 1 and claims 8 and 9 depend from claim 4. Thus, dependent claims 2, 3, 8 and 9 include all the limitations of the independent claims which are believed allowable.

Accordingly, claims 2, 3, 8 and 9 are believed to be allowable due to their dependency on the allowable independent claims. Examiner's reconsideration and withdrawn of the rejections on claim 2, 3, 8 and 9 are respectfully requested.

New Claims 13-18

Applicant has added new claims 13-18 which include no new matter and are fully supported by the specification and the drawings, for example, page 10 and Fig. 7 of the present application. The new claims further define the distinct subject matters of the present

invention. The new claims have been carefully written to avoid any questions under 35 U.S.C. 112.

Accordingly, it is believed that the new claims are in condition for allowance.

Conclusion

In view of the foregoing, it is respectfully submitted that claims 1-4 and 8-18 are allowable and therefore the present application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 110853.

Respectfully submitted,

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